



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

**MICHIGAN BOARD OF RESPIRATORY CARE
DISCIPLINARY SUBCOMMITTEE
FEBRUARY 2, 2018 MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Respiratory Care Disciplinary Subcommittee met on February 2, 2018, at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Beverly Cherwinski, Chairperson, called the meeting to order at 10:19 a.m.

ROLL CALL

Members Present: Beverly Cherwinski, Public Member, Chairperson
Elizabeth Glasser, M.S.H.S., R.R.T.
Shari Heydenburg, L.R.T.

Members Absent: None

Staff Present: Kimmy Catlin, Board Support, Boards and Committees Section
Kiran Parag, Analyst, Compliance Section
Stephanie Wysack, Board Support, Boards and Committees Section

APPROVAL OF AGENDA

MOTION by Heydenburg, seconded by Glasser, to approve the agenda as presented.

A voice vote was taken.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Glasser, seconded by Cherwinski, to approve the November 3, 2017 meeting minutes as presented.

A voice vote was taken.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Kiran Parag advised the DSC, as they have been doing in the past, that the criteria of Michigan Administrative Code R 338.7005 (Rule 5) must be considered when assessing fines in disciplinary cases. However, the DSC must now explicitly state for the record that they considered Rule 5 when imposing a fine.

Kristen Schneider, R.T. – Consent Order and Stipulation

MOTION by Heydenburg, seconded by Glasser, to accept the Consent Order and Stipulation as presented.

A roll call vote was held:

	Yeas – Cherwinski, Glasser, Heydenburg
	Nays – None

MOTION PREVAILED

Stephanie Diehl, R.T. – Consent Order and Stipulation

MOTION by Heydenburg, seconded by Glasser, to accept the Consent Order and Stipulation as presented.

A roll call vote was held:

	Yeas – Cherwinski, Glasser, Heydenburg
	Nays – None

MOTION PREVAILED

Shaun Baker, R.T. – Request for Dismissal

MOTION by Glasser, seconded by Heydenburg, to discuss the matter.

A voice vote was taken.

MOTION PREVAILED

Discussion was held.

MOTION by Glasser, seconded by Heydenburg, to accept the Request for Dismissal.

A roll call vote was held:

	Yeas – Cherwinski, Glasser, Heydenburg
	Nays – None

MOTION PREVAILED

Jason Juergens, R.T. – Administrative Complaint

MOTION by Glasser, seconded by Heydenburg, to discuss the matter.

A voice vote was taken.

MOTION PREVAILED

Discussion was held.

MOTION by Heydenburg, seconded by Glasser, to suspend Respondent's license for six months and one day.

A roll call vote was held:

	Yeas – Cherwinski, Glasser, Heydenburg
	Nays – None

MOTION PREVAILED

Jamie Knapp, R.T. – Administrative Complaint

MOTION by Glasser, seconded by Heydenburg, to discuss the matter.

A voice vote was taken.

MOTION PREVAILED

Discussion was held.

MOTION by Glasser, seconded by Heydenburg, to place Respondent on probation for a minimum of one day not to exceed six months. During the probationary period, Respondent is required to complete board approved continuing education pertaining to the Health Insurance Portability and Accountability Act (HIPAA). The continuing education shall not count towards current license renewal. After consideration of R 338.7005 (Rule 5), Respondent is fined \$1,000.00 to be paid within 90 days. Failure to comply with the terms shall result in license suspension.

A roll call vote was held:

	Yeas – Cherwinski, Glasser, Heydenburg
	Nays – None

MOTION PREVAILED

David Newell, R.T. – Administrative Complaint

MOTION by Heydenburg, seconded by Glasser, to discuss the matter.

A voice vote was taken.

MOTION PREVAILED

Discussion was held.

MOTION by Heydenburg, seconded by Glasser, to place Respondent on probation for a minimum of one day not to exceed six months. During the probationary period, Respondent is required to complete board approved continuing education in the areas of health documentation and anger management. The continuing education shall not count towards current license renewal. After consideration of R 338.7005 (Rule 5), Respondent is fined \$500.00 to be paid within 90 days. Failure to comply with the terms shall result in license suspension.

A roll call vote was held:

	Yeas – Cherwinski, Glasser, Heydenburg
	Nays – None

MOTION PREVAILED

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held May 4, 2018, immediately following the full board meeting scheduled to begin at 10:00 a.m. in the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

ADJOURNMENT

MOTION by Heydenburg, seconded by Glasser, to adjourn the meeting at 10:50 a.m.

A voice vote was taken.

MOTION PREVAILED

Approved by Board on May 4, 2018.

Prepared by:

Kimmy Catlin, Board Support
Bureau of Professional Licensing

February 7, 2018